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shall be filed with the town clerk. If any such district be established, the town board shall thereafter include in the annual budget of taxes to be levied by the board of supervisors a sum not exceeding \$800 for the extermination of mosquitoes in such district, which sum shall be levied by such board of supervisors upon the property subject to taxation in the district as so established. For the purpose of the levying of such tax, the town board shall apportion the same pro rata upon such taxable property and transmit a certified statement thereof to the board of supervisors. Such apportionment shall be on the basis of the valuation of such property as fixed by the last preceding assessment roll of the town. After the boundaries of such district shall have been established, if any farm or lot or the real property of a corporation or joint-stock association shall have been divided by any such boundary line, it shall be the duty of the town assessors after fixing the valuation of the whole of such real property as now required by law to determine what portion of such valuation is on account of that part of such real property lying within such district.

SEC. 2. The tax provided for in this act shall when collected be paid to the supervisor, who shall pay the same over as needed to a committee to be elected as hereinafter provided. Such committee shall have charge of the expenditure of the moneys so paid over for the extermination of mosquitoes in such district.

SEC. 3. A public meeting of electors residing in such district and owning taxable property therein shall be held annually in the month of September, at a time and at a place in such village to be designated by the town clerk, for the purpose of electing a committee for the extermination of mosquitoes for the ensuing year. The number of members to serve on the committee shall be determined at each meeting, but shall not exceed seven persons. No person shall be qualified to serve on such committee who is not at the time a resident taxpayer of such district. Notice of such meeting, including a statement of its objects and purposes and of the time and place of holding the same, shall be given by publication in a newspaper in such town once a week for the preceding four weeks. No person shall be entitled to vote at such meeting who is not an elector and taxpayer residing in such district. A chairman and two inspectors of election shall be chosen by the persons entitled to vote at the meeting, and all voting shall be by ballot. The chairman shall announce the result of the vote upon any question or for candidates for membership in such committee, and the result of such vote shall be certified by the chairman and said inspectors to the town clerk. Such certificate shall be sufficient warrant to the supervisor to pay over to the persons certified to have been elected any moneys in his hands available for the purposes of this act. Such committee shall file with the town clerk annually on the 1st day of October a report of its proceedings for the previous year. Such report shall set forth in detail the moneys received and expended, the manner of such expenditure, and the work accomplished.

Local Boards of Health—Organization—Appointment of Health Officers—Consolidated Health Districts. (Ch. 369, Act May 1, 1916.)

SECTION 1. Section 20 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as amended by chapter 165 of the laws of 1909, chapter 559¹ of the laws of 1913, chapters 124² and 555³, of the laws of 1915, is hereby amended to read as follows:

SEC. 20. *Local boards of health.*—There shall continue to be local boards of health and health officers in the several cities, villages, and towns of the State except as hereinafter provided. In the cities, except cities of the first and second class, the board shall consist of the mayor of the city, who shall be its president, and at least six other per-

¹ Reprint No. 264 from the Public Health Reports, p. 317.

² Public Health Reports, Apr. 23, 1915, p. 1282.

³ Public Health Reports, July 9, 1915, p. 2091.

sons, one of whom shall be a competent physician, who shall be appointed by the common council, upon the nomination of the mayor, and shall hold office for three years. Appointments of members of such boards shall be made for such shorter terms as at any time may be necessary in order that the terms of two appointed members shall expire annually. In the cities, except cities of the first and second class, and such other cities whose charters otherwise provide, the board shall appoint for a term of four years a competent physician, not one of its members, to be the health officer of the city, and shall fill any vacancy that now exists or may hereafter exist from expiration of term or otherwise in the office of health officer of the city. In villages the board of health shall consist of the board of trustees of such village. In towns the board of health shall consist of the town board.

The local board of health shall appoint a competent physician, not a member of the local board of health, to be the health officer of the municipality. The term of office of the health officer shall be four years, and he shall hold office until the appointment of his successor. He may be removed for just cause by the local board of health or the State commissioner of health after a hearing; such removal by the local board of health must be approved by the State commissioner of health. The health officer need not reside within the village or town for which he shall be chosen. Notice of the membership and organization of every local board of health shall be forthwith given by such board to the State department of health. The term "municipality," when used in this article, means the city, village, town, or consolidated health district for which any such local board may be or is appointed. The provisions herein contained as to boards of health and for the appointment of health officers shall apply to all towns and villages whether such villages are organized under general or special laws. The members of town boards and of village boards of trustees and of boards of health of consolidated health districts shall not receive additional compensation by reason of serving as members of boards of health. Any matter within the jurisdiction of a town or village board of health may be considered and acted upon at any meeting of such town board or village board of trustees.

The State commissioner of health, on the request of the town board of any town and the board of trustees of any village and the common council or other like authority of any city, may combine into one health district, hereinafter referred to as a consolidated health district, any two or more of such towns, villages, or cities and may, on the request of the town board of any town, board of trustees of any village, or common council or other like authority of any city at any time thereafter set apart such town, village, or city as a separate health district. In any consolidated health district there shall be a board of health which shall consist of the supervisor of each town, the president of the board of trustees of each village, and the mayor of each city included in each district: *Provided*, That if the number of members so provided for is an even number, such members shall, within 30 days after such district shall have been established by the State commissioner of health, choose an additional member of such board of health to be known as the elective member. An elective member shall serve for a term of two years from the 1st day of January preceding his election and until his successor shall have been appointed: *Provided*, That if at any time the number of members of the board of health, excluding the elective member, shall become an odd number, the term of office of the elective member shall thereupon cease.

The board of health of a consolidated health district shall from time to time elect a president from among its members. The health officer of a consolidated health district shall serve as the secretary of the board of health thereof without additional remuneration therefor.

In each such consolidated health district the board of health shall appoint a health officer. Each board of health and each health officer of a consolidated health district shall have all the rights, powers, duties, and obligations conferred and imposed by law upon boards of health and health officers, respectively.

When any consolidated health district is established as herein provided, the boards of health of the towns, villages, or cities included within such district shall thereupon cease to exist as boards of health, and all their rights, powers, duties, and obligations shall thereupon be transferred to the board of health of such district. When the board of health of any such consolidated health district shall have appointed a health officer therefor, the terms of office of the health officers of the towns, villages, or cities included in such district shall cease, and all their rights, powers, duties, and obligations shall thereupon be transferred to and imposed upon the health officer appointed for such consolidated health district.

The board of health of any such consolidated health district shall from time to time audit all accounts, and allow or reject all charges, claims, and demands against such health district for the remuneration and expenses of the health officer, registrar or registrars, and for all other expenses lawfully incurred by said board of health or on its authority. Unless such board of health of such consolidated health district adopts the estimate system of payment as provided by this section, they shall, prior to the annual meeting of the board of supervisors each year, make an abstract, to be known as the consolidated health district abstract, of the names of all persons who have presented to them accounts to be audited, the amounts claimed by each such person, and the amounts finally audited and approved by them, respectively, and, if such district be wholly in one county, shall deliver such abstract to the clerk of the board of supervisors. If such consolidated health district be located in more than one county, the board of health of such district shall divide the total amount of the consolidated health district abstract as audited and approved in proportion to the assessed valuation of the real and personal property of the towns, villages, or cities of such consolidated health district located in each county, as determined by the last preceding assessment rolls of the towns or cities wholly or partly included in such district, and shall deliver a certified copy of such abstract to the board of supervisors of each such county, with a statement of the amount due from the real and personal property of each town, village, or city of the consolidated health district in each such county on account of the expenses of such board. The board of supervisors of each such county shall levy a tax upon the real and personal property within such health district sufficient to provide for the sums audited and approved by the board of health thereof and chargeable to the real and personal property of each town, village, or city of the consolidated health district in each such county. Such sums, when collected and paid to the county treasurer of each such county, respectively, shall be paid by him to the president of such board of health and shall be disbursed by him in accordance with the abstract of claims audited and approved by such board of health, as hereinabove provided.

The board of health of any consolidated health district may annually make an estimate of the expenses of such board for the ensuing calendar year and, if such district be wholly in one county, shall deliver a certified copy of such estimate to the clerk of the board of supervisors of such county prior to the annual meeting of the board preceding such year. If such consolidated health district be located in more than one county, the board of health of such district shall proportion the total amount of such estimate in the same manner as provided by this section for proportioning the expenses of such a district when audited and approved by the board, and shall deliver to the clerk of the board of supervisors of each such county a certified statement of the total estimate and the amount due from the real and personal property of each town, village, or city of the consolidated health district in each such county on account thereof. The board of supervisors of each such county shall levy a tax upon the real and personal property within such health district sufficient to provide for the portion of the amount of such estimate chargeable to the real and personal property of each town, village, or city of the consolidated health district in each such county. Such sums, when collected and paid to the county treasurer of each county, respectively,

shall be paid by him to the president of such board of health and shall be disbursed by the board of health in accordance with the estimates. After such estimate system has been adopted by a consolidated health district, the board of health thereof shall deduct from the estimate for the succeeding calendar year the amount, if any, remaining in the hands of such board after all of the liabilities incurred on account of the preceding estimate have been paid before the certified statement of the total estimate and the amount due from the real and personal property of each town, village, or city of the consolidated health district in each such county is certified to the respective clerks of the boards of supervisors for collection.

Milk—Evaporated or Condensed—Sale of. (Ch. 144, Act Apr. 6, 1916.)

SECTION 1. Section 37 of chapter 9 of the laws of 1909, entitled "An act in relation to agriculture, constituting chapter 1 of the consolidated laws," as amended by chapter 608 of the laws of 1911, is hereby amended to read as follows:

SEC. 37. *Regulations in regard to evaporated or condensed milk.*—No evaporated or condensed milk shall be made or offered or exposed for sale or exchange unless manufactured from pure, clean, healthy, fresh, unadulterated, and wholesome milk from which the cream has not been removed either wholly or in part, or unless the proportion of milk solids shall be in quantity the equivalent of 11.5 per centum of milk solids in crude milk, and of which solids 25 per centum shall be fats. No person shall manufacture, sell, or offer for sale or exchange in hermetically sealed cans any condensed milk unless put up in packages upon which shall be distinctly labeled or stamped the name of the person or corporation by whom made and the brand by which or under which it is made. When evaporated or condensed milk shall be sold from cans or packages not hermetically sealed, the producer shall brand or label the original cans or packages with the name of the manufacturer of the milk contained therein: *Provided, however,* That unsweetened evaporated or condensed milk, sold or offered for sale in containers not hermetically sealed, shall contain at least 10 per centum of milk fats.

Births and Deaths—Registration of—Penalties. (Ch. 58, Act Mar. 20, 1916.)

SECTION 1. Section 392 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as added by chapter 619¹ of the laws of 1913, is hereby amended to read as follows:

SEC. 392. *Penalties.*—Any person, who for himself or as an officer, agent, or employee of any other person, or of any corporation or partnership, shall inter, cremate, or otherwise finally dispose of the dead body of a human being, or permit the same to be done, or shall remove said body from the primary registration district in which the death occurred or the body was found, without the authority of a burial or removal permit issued by the local registrar of the district in which the death occurred, or in which the body was found; or shall refuse or fail to furnish correctly any information in his possession, or shall furnish false information affecting any certificate or record required by this article; or shall willfully alter, otherwise than is provided by this article, or shall falsify any certificate of birth or death, or any record established by this article; or being required by this article to fill out a certificate of death and file the same with the local registrar, or deliver it, upon request, to any person charged with the duty of filing the same, shall fail, neglect or refuse to perform such duty in the manner required by this article; or being a registrar, deputy registrar, or subregistrar, shall fail, neglect, or refuse to perform his duty as required by this article and by the instructions and direction of the State commissioner of health thereunder, shall be deemed guilty of a misdemeanor and upon conviction thereof shall for the first offense be fined not less than

¹ Reprint No. 264 from the Public Health Reports, p. 326.